

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings of claims in the application:

1. (Currently Amended) A dispersion ~~Dispersion suitable for use as coating agent and binder for pharmaceutical forms, having comprising:~~

a solids content of 10-70% by weight ~~consisting of~~ comprising

a) from 90 to 99% by weight of a methacrylate copolymer ~~consisting of~~ comprising at least 90% by weight of a (meth)acrylate monomers monomer containing at least one neutral radicals radical and having a glass transition temperature Tg of from -20°C to +20°C as determined by the DSC method, and

b) 1-10% by weight of a nonionic emulsifier having an HLB of from 15.2 to 17.3.

2. (Currently Amended) The dispersion according to Claim 1, wherein the methacrylate copolymer ~~consists of~~ comprises from 20 to 50% by weight of methyl methacrylate, and from 80 to 50% by weight of ethyl acrylate.

3. (Currently Amended) The dispersion according to Claim 1, wherein the nonionic emulsifier is selected from the group consisting of ethoxylated fatty acid ester, ethoxylated fatty acid ethers, ethoxylated sorbitan ethers, ethoxylated alkyl-phenols, glycerol esters, glycerol sugar esters, ~~and~~ wax derivatives and mixtures thereof.

4. (Currently Amended) The dispersion according to Claim 1, wherein the nonionic emulsifier is selected from the group consisting of polyoxyethyleneglycerol monolaurate,

polyoxyethyleneglycerol monostearate, polyoxyethylene-20-cetyl stearate, polyoxyethylene-25-cetyl stearate, polyoxyethylene (25)-oxypropylene monostearate, polyoxyethylene-20-sorbitan monopalmitate, poly-oxyethylene-16-tert-octylphenol, polyoxyethylene-20-cetyl ether, polyethylene glycol(1000) monocetyl ether, ethoxylated castor oil, polyoxyethylene sorbitol-lanolin derivatives, polyoxyethylene(25)propylene glycol stearate, polyoxyethylenesorbitol esters, polyoxyethylene-20-sorbitan monopalmitate, polyoxyethylene-16-tert-octylphenol, ~~and~~ polyoxyethylene-20-cetyl ether and mixtures thereof.

5. (Currently Amended) A process for preparing the dispersion claimed in Claim 1, comprising: ~~the step of emulsion polymerization~~ polymerizing said (meth)acrylate monomer.

6. (Currently Amended) A pharmaceutical composition, comprising:
the dispersion as claimed in Claim 1, and
a pharmaceutically active substance.

7. (Currently Amended) The pharmaceutical composition as claimed in Claim 6, wherein said pharmaceutically active substance comprises an active substance selected from the group consisting of morphine, morphine derivatives, tramadol, acetylsalicylic acid, diclofenac, indomethacin, lonazolac, ibuprofen, ketoprofen, propyphenazone, naproxen, paracetamol, flurbiprofen, dimetindene, quinidine, metoprolol, propanolol, oxprenolol, pindolol, atenolol, metoprolol, disopyramide, verapamil, diltiazem, gallopamil, nifedipine, nicardipine, nisoldipine, nimodipine, amlodipine, theophylline, salbutamol, terbutaline, ambroxol, aminophylline, choline theophyllinate, pyridostigmine, piretanide, furosemide, pentoxifylline, naftidrofuryl, buflomedil, xanthinol nicotinate, bencyclane, allopurinol,

norephedrine, chlorphenamine, isosorbide mononitrate, isosorbide dinitrate, glycerol trinitrate, molsidomine, bezafibrate, fenofibrate, gemfibrozil, cerivastatin, prava-statin, fluvastatin, lovastatin, atorvastatin, simvastatin, xanthinol, methoclopramide, amitriptyline, dibenzepine, venlafaxine, thioridazine, oxazepam, lithium, nitrofurantoin, dry plant extract, diprophylline, ascorbic acid, and potassium, pharmaceutical salts thereof and mixtures thereof.

8. (Currently Amended) A pharmaceutical composition, comprising:
an active pharmaceutical substance and the dispersion as claimed in Claim 1,
wherein said active pharmaceutical substance is bound or coated with said dispersion.

9. (Currently Amended) A method for coating a pharmaceutical composition,
comprising:
encapsulating the pharmaceutical composition with the dispersion claimed in Claim 1.

10. (Currently Amended) ~~Dispersion~~ The dispersion according to Claim 1, wherein
the methacrylate copolymer ~~consists of~~ comprises from 20 to 50% by weight of methyl
methacrylate and from 80 to 50% by weight of ethyl acrylate and from 0 to 10% by weight of
methacrylic acid.

11. (Currently Amended) ~~Dispersion~~ The dispersion according to Claim 1, wherein
the nonionic emulsifier is polyoxyethylene-25-cetyl stearate.

12. (Previously Presented) The pharmaceutical composition claimed in Claim 7,
wherein said pharmaceutical salts are potassium salts.

13. (New) The dispersion as claimed in Claim 1, wherein said (meth)acrylate monomer contains C₁ to C₄ alkyl radicals.

14. (New) The dispersion as claimed in Claim 1, wherein said (meth)acrylate monomer is methyl methacrylate, ethyl acrylate, methyl acrylate or mixtures thereof.

15. (New) The dispersion as claimed in Claim 1, wherein not more than 10 % by weight of said (meth)acrylate monomers contains an anionic radical.

16. (New) The dispersion as claimed in Claim 1, wherein said copolymer comprises methacrylic acid.

17. (New) The dispersion as claimed in Claim 1, wherein said emulsifier is polyoxyethylene-25-cetyl stearate, polyoxyethylene-20-sorbitan monopalmitate, polyoxyethylene-16-tert-octylphenol, polyoxyethylene-20-cetyl ether or mixtures thereof.

18. (New) A coating agent, comprising:
the dispersion as claimed in Claim 1.

19. (New) The dispersion according to claim 1, wherein said emulsifier does not crystallize after drying said dispersion.

BASIS FOR THE AMENDMENT

The Table at page 14 has been amended to correct obvious typographical errors. The HLB of polyoxyethylene-20-sorbitan monostearate in Comparative Example 14 is 14.9 and the HLB of polyoxyethylene-20-sorbitan monooleate in Comparative Example 15 is 15.0 as shown in the attached pages of McCutcheon's, Emulsifiers & Detergents, page 182.

The claims have been amended to better conform to U.S. claim format. The amendment of Claim 7 is supported by the Examples.

New Claims 13-19 have been added.

New Claim 13 is supported at page 3, lines 27 and 28, of the specification.

New Claim 14 is supported 3, lines 33 and 34, of the specification.

New Claim 15 is supported 3, last paragraph to page 4, first paragraph, of the specification.

New Claim 16 is supported 4, lines 12-17, of the specification.

New Claim 17 is supported 6, second paragraph, of the specification.

New Claim 18 is supported 7 of the specification.

New Claim 19 is supported at page 14, Examples 10-13 and at page 5, 2nd full paragraph.

No new matter is believed to have been added by entry of this amendment. Entry and favorable reconsideration are respectfully requested.

Upon entry of this amendment Claims 1-19 will now be active in this application.